

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In Re:) Bankruptcy No. 08-15662
BYRD, MAURICE) Honorable EUGENE R. WEDOFF
BYRD, DEIDRA L) Chapter 7
)
) Hearing Date: October 8, 2009
Debtors.) Hearing Time: 9:30 a.m.

Notice of Motion

To: *U.S. Trustee, William T. Neary.
*Forrest L Ingram, Forrest L. Ingram, P.C., 79 W Monroe Street, Suite 900, Chicago, IL 60603
Maurice & Deidra Byrd, 2255 Chestnut Ave., Glenview, IL 60026
Heartland Bank, 14125 Clayton Road, Chesterfield MO 63017
Jean Soh, Polsinelli Shalton Flanigan Suelthaus P.C., 180 N. Stetson, Ste 4525, Chicago, IL 60606

PLEASE TAKE NOTICE that on Thursday, October 8, 2009, at 9:30 a.m., we will appear before the Honorable Judge Eugene R. Wedoff, Courtroom 744, Dirksen Federal Building, 219 S. Dearborn Street, Chicago, Illinois, and then and there present our **Application of Chapter 7 Trustee to Employ David P. Leibowitz, Jonathan T. Brand, and Carrie A. Zuniga of Lakelaw as Counsel**, a copy of which is attached hereto and served upon you herewith.

Dated: September 30, 2009

/s/ David P. Leibowitz
Chapter 7 Trustee

Certificate of Service

On September 30, 2009, the undersigned, certifies that on this date, she caused a copy of the above document to be served upon each person shown on the within Notice, by United States Mail, with postage prepaid, at Waukegan, Illinois. Those marked with an * were served via electronic service.

/s/ Maria Idalia Garcia
Paralegal

David P. Leibowitz
Attorney ID 1612271
Lakelaw
420 W. Clayton Street
Waukegan, Illinois 60085-4216
847.249.9100

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**APPLICATION OF CHAPTER 7 TRUSTEE TO EMPLOY DAVID P. LEIBOWITZ,
JONATHAN T. BRAND AND CARRIE A. ZUNIGA
OF LAKELAW AS COUNSEL**

David P. Leibowitz, Chapter 7 Trustee (the "Trustee"), requests authority to employ David P. Leibowitz, Jonathan T. Brand and Carrie A. Zuniga of Lakelaw as his counsel pursuant to Section 327(a) and (d) of the Bankruptcy Code and Bankruptcy Rule 2014 and in support thereof states as follows:

1. MAURICE and DEIDRA L. BYRD ("Debtors") filed a voluntary petition on June 18, 2008, commencing the above-captioned case under Chapter 7 of the Bankruptcy Code (the "Code").
2. The United States Trustee appointed David P. Leibowitz as Chapter 7 Trustee of the bankruptcy estate. No trustee was elected at the first meeting of creditors.
3. The Trustee now requires the assistance of bankruptcy counsel in order to administer the assets of the estate and close this case and desires to employ David P. Leibowitz, Jonathan T. Brand, and Carrie A. Zuniga of Lakelaw, to provide the following professional services:
 - a. Objections to claims,
 - b. Appearance at court hearings.
4. David P. Leibowitz, Jonathan T. Brand and Carrie A. Zuniga of Lakelaw have extensive experience in bankruptcy cases and commercial litigation and are well qualified to represent the Trustee's interests in this case. The attorney who will have primary responsibility for this representation is David P. Leibowitz, managing member, who has practiced in this District since 1974;

5. The Trustee requires counsel knowledgeable with respect to bankruptcy law to render the above-described essential professional services and believes that the employment of David P. Leibowitz, Jonathan T. Brand, and Carrie A. Zuniga of Lakelaw would be in the best interests of the Trustee and in the interests of all creditors and the estate.

6. David P. Leibowitz, Jonathan T. Brand and Carrie A. Zuniga of Lakelaw proposes to charge for its services at its usual and customary rates. The range of hourly rates currently charged by Lakelaw for the professionals who are expected to perform the majority of service in connection with this case fall within the following ranges:

Member -- \$625
Associates -- \$250 to \$400
Paralegals -- \$85 to \$150

David P. Leibowitz, Jonathan T. Brand and Carrie A. Zuniga of Lakelaw will keep detailed records of any actual and necessary expenses incurred in connection with rendering the above-described legal services, for which it may seek reimbursement.

7. To the best of the Trustee's knowledge, David P. Leibowitz, Jonathan T. Brand and Carrie A. Zuniga of Lakelaw have no connection with the Debtor, his creditors, or any other party in interest herein, their attorneys or accountants.

8. To the best of the Trustee's knowledge, David P. Leibowitz, Jonathan T. Brand, and Carrie A. Zuniga of Lakelaw are not creditors or insiders of the Debtor, nor does David P. Leibowitz, Jonathan T. Brand and Carrie A. Zuniga of Lakelaw hold any interest materially adverse to the interest of the estate or any class of creditors, by reason of any direct or indirect relationship to, connection with, or interest in the Debtor or for any other reason.

9. David P. Leibowitz, Jonathan T. Brand and Carrie A. Zuniga of Lakelaw have not received a retainer in this case.

10. A declaration executed on behalf of David P. Leibowitz, Jonathan T. Brand and Carrie A. Zuniga of Lakelaw in accordance with Section 327 of the Bankruptcy Code and Bankruptcy Rule 2014 is attached as Exhibit "A."

WHEREFORE, Trustee requests the entry of an order, in the form similar to that attached to this Application, authorizing the Trustee to employ David P. Leibowitz, Jonathan T. Brand and Carrie A. Zuniga of Lakelaw as his counsel, with fees and expenses to be paid as administrative expenses in such amounts as the Court may hereafter determine and allow.

/s/ David P. Leibowitz

David P. Leibowitz
Chapter 7 Trustee

David P. Leibowitz,
Attorney ID 1612271
Lakelaw
420 West Clayton Street
Waukegan, Illinois 60085-4216
847.249.9100